

BEST AVAILABLE COPYApplication No. ~~10/867,073~~**REMARKS**

The rejection of Claim 35 under 35 U.S.C. 112, second paragraph, is respectfully traversed in view of the disclosure on a number of pages of the present application. However, Claim 35 has been clarified as suggested by the Examiner..

The rejection of Claims 1 to 38 under 35 U.S.C. 102(b), or alternatively under 35 U.S.C. 103(a) as being anticipated by or obvious over Spiewak et al. 5,336,577 is respectfully traversed.

The Examiner is respectfully urged to reconsider the '577 reference, and point out to Applicants where in this reference there is specifically disclosed the value of an imaging member with a collection efficiency proportional to an electric field. More specifically, with the weight ratio as recited, for example, in Claim 9 and a collection efficiency value of from about 1 to about 50 V/ μ m at a wavelength of 780 nanometers, the combination of components and amounts as recited in Claim 13 with the weight ratio being as recited in Claim 13, last line; the weight ratios recited in Claim 35, and the weight ratios as recited in Claim 37. It is specifically requested that the Examiner provide his comments and positions with respect to the aforementioned Applicants' remarks. These comments will provide a guide to Applicants with respect to the potential filing of a continuation application directed to a number of the claims with the weight ratio recited therein in combination with, for example, amounts of each of the components.

Nevertheless, Applicants have amended the claims as indicated, support for which is found throughout the application as filed including, for example, page 13 and Claim 31. Accordingly, it is respectfully urged that the Examiner consider the claims in their present form, noting that the imaging members and photoconductive members contain a second layer, and provide his position to Applicants with respect to teachings in the 5,336,577 patent relating to a photoreceptor comprised of a first and second layer. In this

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regard, the '577 patent is primarily directed to a single layer photoreceptor containing, for example, a thick organic ambipolar layer situated on a substrate, and wherein this layer contains an electron transport material, a hole transport material, and a binder; and further, which layer includes therein a photogenerating pigment. It is believed that absent any further comments by the Examiner supporting a position that the claims as amended are anticipated under 102(b) or obvious under 103(a) in view of the '577 patent, Applicants are of the view that the amended claims are in condition for allowance.

The provisional non-statutory obvious type double patenting rejection is traversed, especially since it is believed that Claims 1 to 38 of the present application and Claims 1 to 46 of copending application 10/879,679 are sufficiently distinct to alleviate this rejection. However, to advance prosecution, Applicants are submitting herewith a Terminal Disclaimer.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby requested to call Eugene O. Palazzo, at Telephone Number 585-423-4687, Rochester, New York.

Respectfully submitted,



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